

REMARKS/ARGUMENTS

Reconsideration of this application in light of the above amendments and following comments is courteously solicited.

Amended independent claim 13 is drawn to the structure shown in Fig. 4 of the instant application. Claim 13 as amended now sets forth that the anti-counterfeiting feature is formed by part of the squeezed material portion, wherein a circumferential surface of the shoulder (14) is arranged as a slope (36) with respect to a centerline of the packaging container and the squeezed material portion connects the slope with the inner surface of the body. None of the prior art references cited or applied by the Examiner teach, disclose, suggest or render obvious the subject matter of independent claim 13 as amended.

The subject matter of amended claim 13 is new and non-obvious as none of the cited documents, especially the cited reference document U.S. 3,356,263 show a tube head with a slope-like shoulder. By arranging the shoulder as a slope in respect to the centerline of the packaging container the packaging container satisfies higher requirements concerning the robustness of the connection between the tube head and the tube body. This advantage results from the fact that the slope 36 has a greater connection surface than for example a parallel arranged surface. None of the cited references give a hint to arrange the circumferential surface of the shoulder as a slope.

In light of the foregoing, it is respectfully submitted that all of the claims as pending patentably define over the art of record and the early issuance of a formal notice of allowance is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any

Apln. SN 10/538,257
Amdt. Dated March 31, 2009
Reply to Office Action of December 31, 2008

questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

By /Gregory P. LaPointe #28395/
Gregory P. LaPointe
Attorney for Applicants
Reg. No.: 28,395
Telephone: 203-777-6628
Telefax: 203-865-0297

Date: March 31, 2009